

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/57

Filed: May 23, 2000

First Named Inventor: David Cannell et al. PATENT TRADEMARK OFFICE

Group Art Unit: 1651

Examiner: M. Flood

Attorney Docket Number: 05725.0572-00000

Attorney Customer Number: 22,852



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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on _____
- ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on _____
- iii. ☐ Other _____

b. ☒ Enclosed:

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees

a. ☒ The filing fees are calculated as follows:

- i. ☒ \$740.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of Time Fee of \$110 (1 month)
- iii. ☐ Other _____

b. ☒ Check in the amount of \$850.00 enclosed.

c. ☒ The Director is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Anthony G. Tridico

Reg. No.: 45,958

Signature:

Date: February 19, 2002

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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Date:



22852
PATENT TRADEMARK OFFICE

Application No. 09/576,800
Attorney Docket No. 05725.0572

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
David W. CANNELL et al.)
Application No.: 09/576,800)
Filed: May 23, 2000)
For: THE USE OF PLANT EXTRACTS IN A)
COSMETIC COMPOSITION TO)
PROTECT KERATINOUS FIBERS)

Group Art Unit: 1651
Examiner: M. Flood

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REPLY

I. Status of Claims

Claims 1-13 are pending in the application. No amendments have been made herein.

II. Remarks

In the Advisory Action dated January 25, 2002, the Examiner maintained the rejections of Claims 1-13 "for reasons of record." See Advisory Action. Applicants respectfully disagree and traverse the rejections.

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